

ADMINISTRATIVE ORDER BOOK-

RE: PUBLIC ADMINISTRATIVE
ORDERS

MEMORANDUM

Of Papers Filed and Date of Filing

**ORDER
#**

DATE

DESCRIPTION

04-AO-0001-P	5/26/04	ORDER - Procedures for Electronically Serving, Filing, Imaging and Accessing Documents in the United States District Court for the Northern District of Iowa (May 2004)
04-AO-0002-P	6/7/04	ORDER - In the Matter of Reappointment of Magistrate Judge Paul A. Zoss - The active judges of the U.S. District Court for the North. District of Iowa have met and unanimously agree that the following persons shall constitute the Merit Selection Panel to consider the reappointment of Paul A. Zoss as U.S. Magistrate Judge for the North. District of Iowa (Shelly A. Horak, Paul D. Lundberg, Douglas L. Phillips, Robert D. Teifenthaler, Janet L. Petersen, Jay E. Denne, Steve H. Reinsch and Julie Schneider).
04-AO-0003-P	6/10/04	ORDER - Automatic Sanctions for Failure to File Documents Electronically
04-AO-0004-P	7/21/04	ORDER of Appointment - Pursuant to 28 U.S.C. Section 757(a), Pridgen J. Watkins is appointed Clerk of Court for the U.S. District Court for the North. Dist. Of Iowa effective 6/28/2004.
04-AO-0005-P	8/2/04	ORDER of Appointment - Pursuant to 28 U.S.C. Section 751, Pridgen J. Watkins is appointed Clerk of Court for the U.S. District Court for the North. Dist. Of Iowa effective 6/28/2004. THIS ADMINISTRATIVE ORDER CORRECTS THE CITE LISTED ON ADMINISTRATIVE ORDER # 04-AO-0004-P.
04-AO-0006-P	11/17/04	ORDER - In accordance with the authority conferred by 28 U.S.C. Section 631, et seq., and the further authority granted and action taken by the Judicial Conference of the U.S., IT IS ORDERED that Paul A. Zoss is hereby reappointed to serve as a full-time Magistrate Judge for the Northern Dist. Of Iowa at the salary as may from time to time be fixed by the Judicial Conference of the U.S., with official station in Sioux City, Iowa.
04-AO-0007-P	12/2/04	Admin. Order 04-AO-0007 corrects date Judge Zoss to enter performance as U.S. Magistrate Judge listed in Administrative Order 04-AO-0006-P (Admin. Order 0006 lists date as 01/26/2005; Admin. Order 0007 reflects correct date of 01/27/2005) - ORDER - In accordance with the authority conferred by 28 U.S.C. Section 631, et seq., and the further authority granted and action taken by the Judicial Conference of the U.S., IT IS ORDERED that Paul A. Zoss is hereby reappointed to serve as a full-time Magistrate Judge for the Northern Dist. Of Iowa at the salary as may from time to time be fixed by the Judicial Conference of the U.S., with official station in Sioux City, Iowa.

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04-AO-0008P	12/9/04	ORDER - IN THE MATTER OF NORTHERN DIST. OF IOWA FIREARMS POLICY FOR PROBATION AND PRETRIAL SERVICES OFFICERS - The Court reaffirms its previous ORDER that pursuant to 18 U.S.C. Section 3154(13) and Section 3603 (9) each regularly appointed probation officer of this Court is authorized to carry a firearm for self-defense purposes during the general performance of his or her duties when qualified and authorized by the Chief Probation Officer. It is further ORDERED that said probation officers carrying firearms comply with all rules and regulations governing the carrying of firearms by such officer, including the firearms policy of this District, which is approved herein, the firearms regulations of the Director of the Administrative Office of the U.S. Courts, and the national firearms policy.
04-AO-0009P	12/9/04	ORDER - IN THE MATTER OF THE REVISED FORFEITURE COLLATERAL SCHEDULE PROMULGATED BY THE FEDERAL PROTECTIVE SERVICE - In the matter of the determination of a revised schedule of appropriate penalties for violations of statutes under Title 41 of the US Code, by the Federal Protective Service to prescribe the forfeiture of collateral schedule for prohibited conduct on federal property, the Court hereby finds that for the effective, efficient and proper administration of justice in this district, the following schedule of penalties for violations of the above mentioned regulations committed within the Northern Dist. Of Iowa should be established (See Text).
05-AO-0001	01/20/05	ORDER - Approving Revised Search Policy of U.S. Probation Office
05-AO-0002	02/01/05	ORDER - IN THE MATTER OF SENTENCINGS UNDER UNITED STATES v. BOOKER, 2005 WL 50108 (Jan. 12, 2005) - In order to assist lawyers and defending criminal cases in the U.S. District Court for the Northern Dist. Of Iowa, the judges of the district enter the following administrative order: 1. Where there are contested advisory U.S. Sentencing Guidelines issues the judges will follow the prior procedure of determining contested guideline issue facts by a preponderance of the evidence standard without a jury. 2. If a party wants the court to depart, either upward or downward, from the advisory U.S. Sentencing Guidelines range using traditional departure theory, then a motion should be filed accompanied by a brief. 3. If a party wants the court to vary, either upward or downward, from the advisory guideline range, on grounds other than traditional departure theory, then such a motion should be filed accompanied by a brief. 4. All such motions and briefs, subject to this order, shall be filed at least seven days prior to the scheduled sentencing. Late requests for departures or variances from the advisory U.S. Sentencing Guidelines may be denied by the court as untimely.

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05-AO-0003	03/14/05	<i>PLEASE SEE ADMINISTRATIVE ORDER # 05-AO-0006 filed on 4/26/2005, WHICH SUPERCEDES THIS ORDER.</i> IN RE REFILLING MASTER JURY WHEEL - It having been brought to the courts attention that under the Amended Plan for the Random Selection of Grand and Petit Jurors for the U.S. District Court for the Northern Dist. Of Iowa (Plan) the Master Jury Wheels are due to be refilled. NOW THEREFORE, IT IS ORDERED 1. That the master jury wheels for the Cedar Rapids-Eastern Division, Central Division, and Western Division of this district shall be refilled by not later than September 1, 2005. SEE ORDER for remainder of text.
05-AO-0004	03/29/05	IN THE MATTER OF LOCAL RULES COMMITTEE - The Local Rules of these districts were last revised on 1/1/03. The recent implementation of procedures for the electronic filing, imaging, and access of documents in the Northern and Southern Districts of Iowa, together with other recent developments in the law, has given rise to a need to review, study, and possibly revise certain of the Local Rules. The following persons are appointed to a newly-constituted Local Rules Committee: U.S. Magistrate Judge Ross A. Walters, U.S. Magistrate Judge Paul A. Zoss, Pamela Hamilton, and Sue Young. The committee is directed to review and study the Local Rules, consider changes and additions to the Rules, prepare a draft of proposed revisions to the Rules that would implement any recommended changes or additions, and present these proposals to the District Court Judges of the District in a timely manner.
05-AO-0005	03/29/2005	ORDER - Procedures for Electronically Serving, Filing, Imaging and Accessing Documents in The United States District Court for the Northern District of Iowa (March 2005)
05-AO-0006	4/26/2005	IN RE REFILLING MASTER JURY WHEEL - It having been brought to the courts attention that under the Amended Plan for the Random Selection of Grand and Petit Jurors for the U.S. District Court for the Northern District of Iowa (Plan) the Master Jury Wheels are due to be refilled. This Order supercedes Administrative Order 05-AO-0003 dated March 10, 2005. NOW THEREFORE, IT IS ORDERED 1. That the master jury wheels for the Cedar Rapids-Eastern Division, Central Division and Western Division of this district shall be refilled by not later than September 1, 2005. SEE ORDER FOR REMAINDER OF TEXT.
05-AO-0007	8/30/05	POLICY GOVERNING USE OF PUBLIC SPACES - U.S. Courthouses are public buildings owned and operated by the General Services Administration and governed by policies of the U.S. Courts. In the Northern District of Iowa, the principal tenants of these buildings are the U.S. District Court, the U.S. Bankruptcy Court for the Northern Dist. of Iowa, and their allied agencies. The buildings housing these Courts are open to the public during regular business hours Monday through Friday, excluding federal holidays. Access is designated non-public areas of the building is restricted to Judicial Officers, employees and other authorized persons. SEE ORDER FOR REMAINDER OF TEXT.

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05-AO-0008	10/28/05	PUBLIC NOTICE FOR THE LOCAL RULES OF COURT – For cause, it is ORDERED that the Local Rules Committee of the Northern and Southern Districts of Iowa is authorized to publish the attached notice, which shall constitute compliance with Federal Rule of Civil Procedure 83(a)(1). (See attachment-2006 Revisions to the Local Federal Rules)
05-AO-0009	12/23/05	COURTHOUSE SMOKING POLICY – Effective March 1, 2006, this Administrative Order supersedes AO 1452. THEREFORE, IT IS HEREBY ORDERED, effective March 1, 2006, that the smoking of tobacco products is prohibited in all interior space of courthouses in the NDIA, and in all outdoor areas adjacent to such courthouses. This prohibition covers all corridors, restrooms, offices, jury rooms, courtrooms, canteens, witness rooms, conference rooms, exits, entryways, docks, and parking lots, in and adjacent to the courthouses in the NDIA. SEE ORDER FOR REMAINDER OF TEXT.
05-AO-0010	12/23/05	ORDER – Approving Revised Search Policy for U.S. Probation Officers
06-AO-0001-P	1/3/06	ORDER – The Local Rules proposed by the Local Rules Committee for the Northern and Southern Districts of Iowa are hereby adopted as the Local Rules for the Northern District of Iowa, effective January 1, 2006.
06-AO-0002-P	1/3/06	ORDER – Pursuant to the inherent authority of this court and Local Rule 1.1.1 and 5.3.a, the ECF Procedures Manual proposed by the Local Rules Committee for the Northern and Southern Districts of Iowa is hereby adopted as the ECF Procedures Manual for the Northern District of Iowa, effective January 1, 2006.
06-AO-0003-P	1/3/06	ORDER – that the administrative orders of the court are superseded by the new Local Rules of the Northern and Southern Districts of Iowa, effective January 1, 2006, with respect to all matters covered by the new local rules.
06-AO-0004-P	1/3/06	ORDER – Effective 1/1/06, this Administrative Order supersedes Administrative Order 03 AO 0002. IT IS HEREBY ORDERED a lawyer retained to represent a defendant in a criminal case, a lawyer appointed under the CJA to represent a defendant in a criminal case, and a lawyer employed by the Federal Defendant's office who is planning to represent a defendant at an initial appearance in a criminal case, is entitled to receive a copy of the indictment in the case from the Clerk of Court upon the issuance of an order scheduling an initial appearance for the lawyer's client. Lawyers receiving a copy of an indictment pursuant to this order are directed not to disclose to anyone that the indictment has been returned or the names of any of the defendants in the indictment until no earlier than two hours before the time scheduled for the initial appearance.

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06-AO-0005-P	5/1/06	ORDER - IN RE THE APPOINTMENT OF WILLIAM L. EDMONDS AS CHIEF BANKRUPTCY JUDGE FOR THE NORTHERN DISTRICT OF IOWA- IT IS THEREFORE ORDERED that effective August 18, 2006, William L. Edmonds is appointed Chief Bankruptcy Judge in the Northern District of Iowa. Judge Edmonds will succeed Chief Judge Paul J. Kilburg with the expiration of his seven-year term on August 17, 2006.
06-AO-0006-P	5/25/06	IN RE ASSIGNMENT OF CRIMINAL CASES ARISING IN THE WATERLOO DIVISION: Effective June 1, 2006, criminal cases arising from the "Waterloo" division shall be assigned to the undersigned (Chief Judge Mark W. Bennett) rather than Judge Reade. Defense counsel for these cases shall continue to be appointed from the Cedar Rapids CJA list. The Cedar Rapids magistrate judge will continue to do guilty pleas on these cases and trials and sentencings may be held in either Cedar Rapids or Sioux City, depending upon the schedules of the district court judges in the district. This order shall remain in effect until rescinded.
06-AO-0007-P	6/8/06	IN THE MATTER OF SURRENDER OF PASSPORTS - When a judicial officer orders any passport to be surrendered, it shall be surrendered directly to the U.S. Probation Office, or an employee thereof. The U.S. Probation Office shall follow all relevant notification procedures during the pendency of the immediate court case and shall assure appropriate disposition of the passport by standard procedures when the case closes. This Order shall be effective June 12, 2006.
06-AO-0008-P	6/13/06	ORDER APPOINTING MAGISTRATE JUDGE SELECTION PANEL - In anticipation of Chief Magistrate Judge John A. Jarvey's nomination as a United States District Court Judge for the Southern District of Iowa, the following Merit Selection Panel is appointed to recommend five names to the active district court judges for the selection of Chief Magistrate Judge Jarvey's replacement. The effective date of the panel's appointment is June 15, 2006. The panel must report to the district court within 90 days of its appointment unless otherwise directed by the court. The following people will make up the Merit Selection Panel: Greg Lederer, Percy Harris, M.D., Betsy Kutter, Renee Snetitzer, Jennifer Rinden, Mike Lahammer, Al Willett, Les Reddick, George Weilein, Rick Barry, Blake Parker, Shelly Horak, Honorable John Ackerman.
06-AO-0009-P	6/28/06	AMENDED ORDER IN RE ASSIGNMENT OF CRIMINAL CASES ARISING IN THE WATERLOO DIVISION - Effective June 1, 2006, criminal cases arising from the "Waterloo" division made up of the following counties: Black Hawk, Buchanan, Bremer, DELAWARE, Fayette, Chickasaw, Floyd, Mitchell, Howard and Winneshiek - shall be assigned to the undersigned (Chief Judge Mark W. Bennett) rather than Judge Reade. Defense counsel for these cases shall continue to be appointed from the Cedar Rapids CJA list. The Cedar Rapids magistrate judge will continue to do guilty pleas on these cases and trials and sentencings may be held in either Cedar Rapids or Sioux City, depending upon the schedules of the district court judges in the district. This order shall remain in effect until rescinded.

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06-AO-0010-P	9/19/06	FILING MATERIALS UNDER SEAL WITHOUT PRIOR COURT ORDER – IT IS HEREBY ORDERED that notwithstanding the procedures set out in Local Rule 5.1 (c) and/or Section IX(A) of the ECF Procedures Manual for filing materials under seal, a party may file the following documents under seal without first filing a request for leave to do so, and without an order authorizing the filing of the materials under seal – SEE ORDER OF TEXT
06-AO-0011-P	12/12/06	IN THE MATTER OF AUTHORITY TO REFUND ERRONEOUS OR DUPLICATE ON LINE FILING FEE PAYMENTS – In March 2005, the Judicial Council approved the attached guidance for the refund of fees that are paid electronically. SEE TEXT OF ORDER.
07-AO-0001-P	01/29/07	WORKLOAD DISTRIBUTION FOR SENIOR JUDGES – The district will immediately adopt a random case rotation that will assign one case to each senior judge after the assignment of four cases each to the active Article III Judges within the district. SEE TEXT OF ORDER
07-AO-0002-P	01/31/07	IN RE: MANDATORY CONFLICT SCREENING FOR FINANCIAL CONFLICTS OF INTEREST FOR JUDGES – On January 18, 2007, the Judicial Council of the Eighth Circuit approved the attached mandatory conflict screening model plan which will become effective February 1, 2007. The plan is mandatory and shall be fully implemented by this court and all judges who are assigned cases in this district.
07-AO-0003-P	3/20/07	DESIGNATION OF CHIEF MAGISTRATE JUDGE – The chief magistrate judge of the district shall be the magistrate judge in regular active service who is senior in commission of those magistrate judges who—(A) have served for one year or more as a magistrate judge; and (B) have not served previously as chief magistrate judge. The chief magistrate judge of the district shall serve for a term of six years and shall serve after expiration of such term until another magistrate judge is eligible to serve as chief magistrate judge of the district.
07-AO-0004-P	3/20/07	CHIEF MAGISTRATE JUDGE – The Honorable Paul A. Zoss is hereby designated Chief Magistrate Judge for the U.S. District Court for the Northern District of Iowa.
07-AO-0005-P	3/20/07	IN THE MATTER OF APPOINTMENT OF FULL-TIME UNITED STATES MAGISTRATE JUDGE AT CEDAR RAPIDS, IOWA – In accordance with the authority conferred by 28 U.S.C. Section 631, et seq., and the further authority granted and action taken by the Judicial Conference of the United States, IT IS HEREBY ORDERED that Jon S. Scoles be and is hereby appointed as full-time United States Magistrate Judge for the Northern District of Iowa with his official duty station at Cedar Rapids, Iowa. SEE TEXT OF ORDER